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May 7, 2021

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

VIA ECF

Re: LG Capital Funding, LLC v. Nyxio Technologies, Corp. (21-cv-2044(VEC))

Dear Judge Caproni:

This firm represents LG Capital Funding, LLC ("LG" or "Plaintiff") in the above-referenced matter. I write pursuant to Your Honor's March 11, 2021 Order and an email received from chambers today.

As the docket shows, Defendant's Registered Agent was served on April 13, 2021, and Defendant's Answer was due on or before May 4, 2021. Further, Plaintiff has not been contacted by any representatives of Defendant. Accordingly, Plaintiff intends to seek a certificate of default from the Clerk of the Court and move for default judgment pursuant to Your Honor's Individual Rule 4(I), and will do so on or before May 14, 2021.

Accordingly, Plaintiff respectfully requests that the Court adjourn the Initial Conference scheduled for May 14, 2021 *sine die* pending Plaintiff's contemplated motion for default judgment.

The May 14, 2021 IPTC is adjourned *sine die*. Plaintiff must apply for a certificate of default not later than **May 14, 2021**. No later than 14 days after obtaining a certificate of default, Plaintiff must apply for a default judgment in accordance with this Court's Individual Practices. Additional failures by Plaintiff's counsel to timely file in accordance with this Court's orders and to follow this Court's Individual Practices may result in sanctions.

Respectfully Submitted,

/s/
Kevin Kehrli, Esq.

SO ORDERED.


5/7/2021 USA: 164 WEST 25TH STREET, 11TH FLOOR, NEW YORK, NY 10001HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

UK: 2 BEDFORD ROW, LONDON WC1R 4BU

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